

210 W. Carrillo Street, Radio Square Project (MST2007-00554)
MITIGATION MONITORING AND REPORTING PROGRAM

PURPOSE

The purpose of the **210 W. Carrillo Street, Radio Square Project** Mitigation Monitoring and Reporting Program (MMRP) is to ensure compliance with all mitigation measures identified in the Final Mitigated Negative Declaration to mitigate or avoid potentially significant adverse environmental impacts resulting from the proposed project. The implementation of this MMRP shall be accomplished by the applicant, consultants and representatives. The MMRP program shall apply to all of the actions occurring under the Permit for the 210 W. Carrillo Street, Radio Square Project.

I. RESPONSIBILITIES AND DUTIES

A qualified representative from the applicant, approved by the City Planning Division and paid for by the applicant shall be designated as the Project Environmental Coordinator (PEC) for each department. The PECs shall be responsible for assuring full compliance with the provisions of this mitigation monitoring and reporting program to the City for actions undertaken under the 210 W. Carrillo Street, Radio Square Project. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in this program.

It is the responsibility of the applicant to comply with all mitigation measures listed in the attached MMRP matrix table. Any problems or concerns between monitors and construction personnel shall be addressed by the PEC and the responsible department. Staff and/or contractors hired to do work under the 210 W. Carrillo Street, Radio Square Project shall provide a schedule of activities for review and approval of the PEC. The staff or contractor shall inform the PEC of any major revisions to the construction schedule at least 48 hours in advance. The respective PEC, staff, and contractor shall meet on a weekly basis in order to assess compliance and review future activities anticipated under the construction of the 210 W. Carrillo Street, Radio Square Project.

A PRE-IMPLEMENTATION BRIEFING

The PECs shall prepare a pre-implementation briefing report. The report shall include a list of all mitigation measures and a plot plan delineating all sensitive areas to be avoided. This report shall be provided to all personnel performing work under this permit.

The pre-implementation briefing shall be conducted by the PEC. The briefing shall be attended by the PECs, supervisors of staff working on the project, necessary consultants, Planning Division Case Planner, and all contractors and subcontractors associated with the project. Additional pre-construction briefings shall be conducted when changes in the PEC, staff working on the project, and a change in contractor occurs.

This MMRP shall be presented to those in attendance at the meeting. The briefing presentation shall include project background, the purpose of the MMRP,

duties and responsibilities of each participant, communication procedures, monitoring procedures, filling out of the mitigation monitoring matrix and summary reports, and duties and responsibilities of the PEC, staff, contractors, and project consultants.

It shall be emphasized at this briefing that the PECs and project consultants have the authority to stop construction and redirect construction equipment in order to comply with all mitigation measures.

II. IMPLEMENTATION PROCEDURES

A. REPORTING PROCEDURES

The PEC for the applicant shall utilize the MMRP Matrix Table, as the basis for daily monitoring of activities approved as a part of the project. As long as no compliance with mitigation measure issues is identified on the completed matrix table, the MMRP forms shall be kept on file. If the PEC identifies non-compliance or other problems with mitigation measure issues, the completed forms shall be forwarded to the Planning Division. In addition, monthly summary reports and annual summary reports on the mitigation monitoring program shall be submitted to the Planning Division by the PEC.

B. MMRP MATRIX

The following MMRP Matrix Table provides each mitigation measure, identifies the responsible party, and allows the monitor to indicate the date monitoring occurred, whether the mitigation measure has been implemented, and comments on activities, if necessary.

The MMRP Matrix Table is intended to be used by all parties involved in monitoring the project mitigation measures, as well as project contractors and others working in the field. The Matrix Table shall be used as a compliance checklist to aid in compliance verification and monitoring requirements for all activities conducted under the 210 W. Carrillo Street, Radio Square Project, whenever activities authorized under this permit are conducted. A copy of the MMRP matrix table shall be kept in the project file by the applicant as verification that compliance with all mitigation measures has occurred.

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MITIGATION MONITORING AND REPORTING PROGRAM MATRIX TABLE

MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		Comments
		Date	Accomplished?	
AQ-1 Construction Dust Control – Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.	Applicant/ Contractor			
AQ-2 Construction Dust Control - Watering. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.	Applicant/ Contractor			
	Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.			
AQ-3 Construction Dust Control - Tarping. Trucks transporting fill material to and from the site shall be covered from the point of origin.	Applicant/ Contractor			
AQ-4 Construction Dust Control - Gravel Pads. Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads.	Applicant/ Contractor			
AQ-5 Construction Dust Control - Stockpiling. If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.	Applicant/ Contractor			

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AQ-6 Construction Dust Control – Disturbed Area Treatment. After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:	Applicant/ Contractor			
A. Seeding and watering until grass cover is grown;				
B. Spreading soil binders;				
C. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;				
D. Other methods approved in advance by the Air Pollution Control District.				
AQ-7 Construction Dust Control – Paving. All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	Applicant/ Contractor			
AQ-8 Construction Dust Control – PEC. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading for the structure.	Applicant/ Contractor			
AQ-9 Construction contracts must specify that only heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized.	Applicant/ Contractor			
AQ-10 The engine size of construction equipment shall be the minimum practical size.	Applicant/ Contractor			

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		Date	Accomplished?	
AQ-11 The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.	Applicant/ Contractor			
AQ-12 Construction equipment shall be maintained in tune per the manufacturer's specifications.	Applicant/ Contractor			
AQ-13 Construction equipment operating onsite shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines.	Applicant/ Contractor			
AQ-14 Catalytic converters shall be installed on gasoline powered equipment, if feasible.	Applicant/ Contractor			
AQ-15 Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed.	Applicant/ Contractor			
AQ-16 Diesel powered equipment shall be replaced by electric equipment whenever feasible.	Applicant/ Contractor			
AQ-17 To the maximum extent feasible, biodiesel shall be used for all construction equipment.	Applicant/ Contractor			

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AQ-18 At all times, idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; auxiliary power units shall be used whenever possible. State law requires that drivers of diesel-fueled commercial vehicles weighing more than 10,000 pounds:	Applicant/ Contractor			
a. shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, b. shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if you have a sleeper berth and you are within 100 feet of a restricted area (homes and schools).				
AQ-19 Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.	Applicant/ Contractor			
BIO -1 During construction, carry out measures to protect the coral tree as recommended in the Arborist's Report, prepared by Bill Spiewak, dated March 27, 2006.	Applicant/ Arborist			

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Mitigation Monitoring And Reporting Program Matrix Table

Mitigation Measure	Party Responsible for Implementation	Verification		
		Date	Accomplished?	Comments
CR-1 After removal of all structures and pavement, construction shall be temporarily suspended and a City-qualified archaeologist shall be retained to inspect the ground of the entire impact area to ensure the likely absence of any prehistoric archaeological resources. If no prehistoric cultural remains are identified on the exposed ground surface during the surface survey, it is reasonable to assume that no buried Native American prehistoric site is located within the project site, as this location has not been subject to substantial natural alluviation that could deeply bury such deposits. Therefore, no further prehistoric archaeological investigations would be necessary.	Applicant/ Archaeologist			In the unlikely event that prehistoric cultural remains are identified on the ground surface during the inspection, a City-qualified archaeologist and a City-qualified Native American representative shall be retained to monitor all subsequent construction excavations until a depth is reached below any potential to disturb the remains, pursuant to the City MEA Guidelines for Archaeological Resources and Historic Structures and Sites criteria. The archaeologist shall determine the need for any other actions, including collecting a representative sample of prehistoric remains, consistent with a Phase 3 Data Recovery excavation as defined in City MEA Guidelines for Archaeological Resources and Historic Structures and Sites criteria.

A City-qualified archaeologist with experience in historic archaeology shall be retained to monitor construction of the first 3 feet of excavation within the existing parking areas along the mid-section of the project site extending from De la Vina Street south to the project boundary parallel to Bath Street, within the area where outhouses associated with the 4th Ward/Jefferson School are indicated on the Sanborn Fire Insurance Maps from 1886 to 1907. If historic materials are identified, the archaeologist shall determine the need for any other actions, including collecting a representative sample of prehistoric remains, consistent with a Phase 3 excavation as defined in City MEA Guidelines for Archaeological Resources and Historic Structures and Sites criteria.

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MITIGATION MEASURE	PARTY RESPONSIBLE FOR IMPLEMENTATION	VERIFICATION		
		Date	Accomplished?	Comments
CR 2 A reduction in the massing of that portion of the project immediately adjacent to the neighborhood to the north should be incorporated into the design, subject to review and approval by the Historic Landmarks Commission.	Applicant			
H-1 Written evidence of completion of a Corrective Action Plan approved by the California Regional Water Quality Control Board and the Santa Barbara County Fire Department shall be provided prior to issuance of any building permits other than those permits necessary to complete the Corrective Action Plan.	Applicant			
N-1: Sound Barriers. As part of the building plan submittal, noise barriers shall be installed at the balcony boundaries of those residential units which would not otherwise comply with the maximum allowed noise level of 60 dBA Ldn for private outdoor living spaces. The noise barriers shall comply with the specific height and construction requirements stated in the acoustical study.	Applicant/ Noise Consultant			
N-2: Interior Noise Reduction: As identified in the Preliminary Acoustical Study, certain residential units shall require a "windows closed" condition in order to meet the maximum interior 45 dBA Ldn noise level standard. As a result, these units shall provide mechanical vents.	Applicant/ Noise Consultant			
N-3: Final Acoustical Study. A Final Acoustical Study shall be submitted for review and approval as part of the building plan submittal and shall include verification that the construction noise levels are reduced to the most reasonable extent possible, that interior noise levels are reduced to 45dBA Ldn or less and that exterior noise levels for the required private outdoor living spaces is reduced to 60dBA Ldn or less.	Applicant/ Noise Consultant			

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N-4: Construction Notice. At least 30 days prior to commencement of construction, the contractor shall provide written notice to all property owners and building occupants within 300 feet of the project area that proposed construction activities could substantially affect outdoor or indoor living areas. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, a description of noise reduction measures and the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions and provide additional information or address problems that may arise associated with construction noise. A 24-hour construction hot line shall be provided. Any noise complaints received shall be documented and, as appropriate, construction activities shall be modified to the extent feasible to address such complaints. Informational signs with the PEC's name and telephone number shall also be posted at the site and shall be easily viewed from adjacent public areas.	Applicant/ Contractor			

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N-5: Construction Hours. Noise-generating construction activities (which may include preparation for construction work) shall be permitted weekdays between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays observed by the City as legal holidays: New Year's Day (January 1 st); Martin Luther King Jr.'s Birthday (3 rd Monday in January); President's Day (3 rd Monday in February); Memorial Day (Last Monday in May); Independence Day (July 4 th); Labor Day (1 st Monday in September); Thanksgiving Day (4 th Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25 th). *When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday.	Applicant/ Contractor			
		Occasional night work may be approved for the hours between 5 p.m. and 8 a.m. weekdays by the Chief of Building and Zoning (per Section 9.13.015 of the Municipal Code). In the event of such night work approval, the applicant shall provide written notice to all property owners and occupants within 300 feet of the project property boundary and the City Planning and Building Divisions at least 48 hours prior to commencement of night work. Night work shall not be permitted on weekends or holidays.		
N-6: Construction Equipment Sound Barrier. Stationary construction equipment that generates noise that exceeds 50 dBA at the property boundaries shall be shielded with a barrier that meets a sound transmission class (STC) rating of 25.	Applicant/ Contractor			

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N-7: Construction Equipment Sound Control. All construction equipment powered by internal combustion engines shall be properly muffled and maintained. No internal combustion engine shall be operated on the site without said muffler. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers. Unnecessary idling of internal combustion engines shall be prohibited. Stockpiling and vehicle staging areas shall be located as far as practical from sensitive noise receptors.	Applicant/ Contractor			
N-8: Construction Noise Barrier. Air compressors and generators used for construction shall be surrounded by temporary acoustical shelters. Whenever feasible, electrical power shall be used to run air compressors and similar power tools.	Applicant/ Contractor			
PS-1 Commercial Dumpsters. Commercial dumpsters shall be provided, including an equal area for recycling containers. Dumpsters shall not be placed within five feet (5') of combustible walls, openings or combustible roof eaves lines unless sprinkler coverage is provided.	Applicant/ Contractor			
PS-2 Trash Enclosure Provision. A trash enclosure with adequate area for recycling containers shall be provided on each Property and screened from view from surrounding properties and the street. Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.	Applicant/ Contractor			

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PS-3 Demolition/Construction Materials Recycling.	Recycling and/or reuse of demolition/construction materials shall be carried out to the extent feasible, and containers shall be provided on site for that purpose, in order to minimize construction-generated waste conveyed to the landfill. Indicate on the plans the location of a container of sufficient size to handle the materials, subject to review and approval by the City Solid Waste Specialist, for collection of demolition/construction materials. A minimum of 90% of demolition and construction materials shall be recycled or reused. Evidence shall be submitted at each inspection to show that recycling and/or reuse goals are being met.	Applicant/ Contractor		
T-1 Construction Traffic.	The haul routes for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer. Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic and noise on adjacent streets and roadways. The route of construction-related traffic shall be established to minimize trips through residential neighborhoods and minimize congestion.	Applicant/ Contractor		

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T-2 Construction Parking/Staging. Construction parking and storage shall be provided as follows:	Applicant/ Contractor			
a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.				
b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.				
c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.				

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W-1 Construction Erosion/Sedimentation Control Plan. Project grading and construction shall be conducted in accordance with an approved erosion control plan to protect water quality throughout the site preparation, earthwork, and construction process. Prior to the issuance of a demolition or building permit for the proposed project, the applicant or project developer shall prepare an erosion control plan that is consistent with the requirements outlined in the <i>Procedures for the Control of Runoff into Storm Drains and Watercourses and the Building and Safety Division Erosion/Sedimentation Control Policy</i> (2003). The erosion control/water quality protection plan shall specify how the required water quality protection procedures are to be designed, implemented and maintained over the duration of the development project. A copy of the plan shall be submitted to the Community Development and Public Works Departments for review and approval, and a copy of the approved plan shall be kept at the project site.	Applicant/ Contractor				

At a minimum, the erosion control/water quality protection plan prepared for the proposed project shall address the implementation, installation and/or maintenance of each of the following water resource protection strategies: Paving and Grinding, Sandbag Barriers, Spill Prevention/Control, Solid Waste Management, Storm Drain Inlet Protection, Stabilize Site Entrances and Exits, Illicit Connections and Illegal Discharges, Water Conservation, Stockpile Management, Liquid Wastes, Street Sweeping and Vacuuming, Concrete Waste Management, Sanitary/Septic Waste Management, Vehicle and Equipment Maintenance, Vehicle and Equipment Cleaning, Vehicle and Equipment Fueling.

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W-2 Minimization of Storm Water Pollutants of Concern. The applicant shall implement approved plans incorporating long-term storm water best management practices (BMPs) to minimize identified storm water pollutants of concern including automobile oil, grease and metals. The applicant shall submit project plans incorporating long-term BMPs to minimize storm water pollutants of concern to the extent feasible, and obtain approval from Public Works Engineering. The owners association shall maintain approved facilities in working order for the life of the project.	Applicant/ Contractor			
W-3 Storm Drain System Stenciling and Signage. Within the project area, the applicant shall implement stenciling of all storm drain inlets and catch basins, and posting of signs at all public access points along channels and creeks, with language in English and Spanish and graphic icons prohibiting dumping, per approved plans. The applicant shall submit project plans to the satisfaction of Public Works Engineering that identify storm drain inlet locations throughout the project area, and specified wording and design treatment for stenciling of storm drain inlets and signage for public access points that prohibit dumping. The owners association shall maintain ongoing legibility of the stenciling and signage for the life of the project.	Applicant/ Contractor			
W-4 Trash Storage Area Design. Project trash container areas shall incorporate approved long-term structural storm water best management practices (BMPs) to protect water quality. The applicant shall submit project plans to the satisfaction of Public Works Engineering and Solid Waste that incorporate long-term structural best management practices for trash storage areas to protect storm water quality. The owners shall maintain these structural storm water quality protections in working order for the life of the project.	Applicant/ Contractor			

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W-5 Groundwater/ Dewatering. Water, when encountered in the excavation, shall be removed using a suitable dewatering system. A stockpile of 3- to 6-inch gabion rock material (approximately 10 to 20 cubic yards) shall be available when excavating near the property line in case a caving side wall or a boiling subgrade condition develops. In such a case, the rock must be placed on the caving excavation or the boiling subgrade until stabilization results.	Applicant/ Contractor			